



## Massachusetts Department of Environmental Protection

Bureau of Water Resources

Wastewater Management Program

# Combined Sewer Overflow (CSO) Preliminary Public Notification Plan - Instructions

## Instructions for Permittees on Developing a CSO Preliminary Public Notification Plan

In January 2021, Governor Baker signed *An Act Promoting Awareness of Sewage in Public Waters* into law. This new law will facilitate public awareness of untreated or partially treated sewage flows into Massachusetts waters. This includes releases known as combined sewer overflows (CSOs) and certain Sanitary Sewer Overflows (SSOs). MassDEP recognizes the importance of notifying the public when untreated sewage is released into our waters and has developed regulations to implement this law (314 CMR 16.00: *Notification Requirements to Promote Public Awareness of Sewage Pollution*). This Instructions document is intended to assist CSO permittees in meeting the requirements of the regulations to file a CSO Final Public Notification Plan. You must complete the CSO Final Public Notification Plan fillable form and submit it with the additional information required below. Please read the instructions carefully.

Per 314 CMR 16.06(2), on or before January 12, 2023, a permittee with a combined sewer system shall submit to the Department for review and approval a final CSO Public Notification Plan. These instructions will assist permittees in completing that form.

The Plan shall include a description of how a permittee will comply with all applicable requirements of 314 CMR 16.00.

***NOTE: Completion of the attestation (fillable form) does not fulfill the CSO Final Public Notification Plan submittal requirements. Permittee must compile and submit all supporting documentation and details for all components below to the Department for approval.***

### **IMPORTANT – READ ALL INSTRUCTIONS**

***For questions that require a response:***

- ***if your response is two lines or less use the fillable form to provide your answer;***
- ***if your response is over two lines provide your response as an attachment and make a note on the fillable form.***
- ***It is important that the permittee provide full details in attachment(s) for their CSO Final Notification Plan to be approved. Failure to provide all information will lead to delay in reviewing the submitted CSO Final Notification Plan.***



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

## Section 1: Permittee (Facility or System) Information

### *Section 1: Complete these steps for the Final Plan*

1. Complete Facility Information portion of the form.
2. Attach a map of discharge locations and affected waterbodies. Include other supporting information as needed.

## Section 2: Identification of Environmental Justice Populations

General Information on EJ populations: <https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts>

Identify Environmental Justice (EJ) Populations using the steps below:

1. Identify the municipalities that are directly impacted by the discharge or overflow.
2. Using the link below, identify if the municipality is listed as an environmental justice population due to lacking English language proficiency.
  - a. Municipalities on this list that have the letter “E” under the EJ Criteria column have 25 percent or more households that lack English language proficiency: <https://www.mass.gov/doc/massachusetts-cities-towns-with-environmental-justice-populations/download>
3. If 25 percent or more of households lack English language proficiency, use the link below to determine whether and where at least 5% of the population are speakers who self-identify as “do not speak English very well,” and identify these languages that notifications must be translated into.
  - a. This map (<https://mass-eoeea.maps.arcgis.com/apps/webappviewer/index.html?id=dfdfbf9c109647fc9601f7524c1fd9f4>) shows census tracts where at least 5% of the population are speakers who self-identify as “do not speak English very well.” Block groups classified as EJ populations based on the English language isolation criterion can also be displayed. Click on a tract (in pink) to find which languages are spoken by at least 5% of the population.
  - b. Include all languages that meet the above criteria on the fillable form.
  - c. Public Advisory Notifications will need to be translated in all the languages identified.

### Public Advisory Notification Translation

314 CMR 16.04(11)

*Public advisory notifications shall be translated into, or provide access to translations in other languages, as appropriate, in municipalities that are directly impacted by the discharge or overflow, and that have neighborhoods identified as environmental justice populations due to lacking English language proficiency.*

Access to translations can be provided by posting translations on the permittee’s website and indicating in advisories that translations are available on that website.



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### *Instructions*

#### Signage Translation

The regulations require permittees to install and maintain signs at public access points to waters affected by a potential discharge from their outfall. For discharges directly affecting neighborhoods identified as environmental justice populations due to lacking English language proficiency, signage posted at public access points shall provide access to translations in the language(s) most appropriate for those neighborhoods and shall utilize universal symbols.

Access to translations can be provided by posting the translations on the permittee's website and providing a link to the website on the sign. Permittees may also choose to use a QR code in addition to the website link.

#### ***Section 2: Complete these steps for the Final Plan:***

1. In the form, indicate whether there are any Environmental Justice (EJ) populations that would potentially be affected by partially treated discharges from your wastewater treatment plant, sanitary sewer overflows, or combined sewer overflows. Use the instructions above.
2. In the form, indicate if there are EJ populations that would potentially be affected, do 25% or more of households lack English-language proficiency, and at least 5% of the population are speakers who self-identify as “do not speak English very well”. Use the instructions above.
3. In the form, list all languages that the notification will be translated into, based on the assessment of EJ populations above.
4. Attach a description for how the Permittee will provide translations. Include:
  - a. A description of the third party or internal resource that is used to produce the translations
  - b. A description of how the translation will be accessed by a public advisory notification recipient, e.g. by including the translation in the body of the email, by including a link to the translation posted on the permittee's website, etc.
  - c. A description of how the translation will be accessed by someone reading the CSO outfall and public access point signage, e.g. by including the translation in the body of the email, by including a link to the translation posted on the permittee's website, etc.

### **Section 3: Discharges, Overflows and Public Notification**

When Public Notification is Required:

*314 CMR 16.03 (1)*

*A permittee is required to issue a public notification for the following:*

- (a) Any Combined Sewer Overflow;*
- (b) Any discharge of partially treated wastewater, including blended wastewater;*
- (c) Any Sanitary Sewer Overflow (SSO) that discharges through a wastewater outfall, either directly or indirectly, into a surface water of the Commonwealth;*



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

- (d) Any SSO that flows into a surface water of the Commonwealth and is the result of the sanitary sewer system surcharging under high flow conditions when peak flows cannot be conveyed to a POTW due to capacity constraints; and
- (e) Any SSO that flows into a surface water of the Commonwealth and is the result of a failure of a wastewater pump station or associated force main designed to convey peak flows of 1 million gallons per day or greater.

#### Required Content of Public Notification, 314 CMR 16.04 (10)

- A permittee shall include the following information in the public advisory notification:
- (a) Description of discharge or overflow location(s), and outfall number(s), if applicable;
- (b) Approximate date and time the discharge or overflow began, and its duration;
- (c) Estimated volume of the discharge or overflow based on the average discharge or overflow from data reported to the Department and/or EPA for the prior three calendar years, taking into consideration historical information for the projected rainfall event, if possible, as set forth in the permittee's CSO Public Notification Plan;
- (d) Identity of the permittee;
- (e) Whether, at the time of notification, the discharge or overflow has ceased, and if so, the approximate time and date that the discharge or overflow ended;
- (f) Waters and land areas, including names of water bodies and municipalities, affected or potentially affected by the discharge or overflow;
- (g) Precautionary measures to be taken by the public, including the following language: "Avoid contact with these water bodies for 48 hours after the discharge or overflow ceases due to increased health risks from bacteria and other pollutants. See website for more information on whether specific resource areas, such as bathing beaches, are affected.";
- (h) Link to the permittee's website for additional information on discharges and overflows, and its CSO and/or SSO abatement program(s); and
- (i) A statement that the discharge or overflow consists, or likely consists, of untreated or partially treated sewage and waste.

#### **Section 3:** Complete these steps for the Final Plan:

1. In the form, affirm whether the requirements in 314 CMR 16.03(1)(a-e) and 314 CMR 16.04(10) are understood and can be met.
2. Attach a description of the process for issuing public advisory notifications, including:
  - a. How the permittee will determine or discover that CSO events, SSO events, and partially treated events have occurred.
  - b. How the permittee will calculate the estimated volume of discharges or overflows.
  - c. How the permittee will estimate the commencement times, cessation times, and durations for events.
  - d. A list of the waters and land areas, including names of waterbodies and municipalities, affected by the permittee's discharges or overflows, and a description of how these affected areas were determined.
3. If any requirement cannot be met, describe which components cannot be met, and include a schedule for compliance.



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

## Section 4: Discovery and the Required Timeline for Notification Following Discovery of a Discharge or Overflow

Discovery timelines in 314 CMR 16.04(5)

### (a) CSO Outfall

1. For a CSO outfall that is monitored with metering equipment, each time a permittee receives communication of a potential discharge from the meter deployment, the permittee shall take all actions set forth in the permittee's Department-approved CSO Public Notification Plan to confirm the occurrence of a discharge, including, without limitation, review of meter data, site inspection, or other approved methods. In no event shall a permittee spend longer than 2 hours to confirm a discharge, commencing from the time a communication is sent by a meter deployment, if the permittee has operational staff on site 24 hours per day, 7 days per week. In no event shall a permittee spend longer than 4 hours to confirm a discharge, commencing from the time a communication is sent by a meter deployment, if the permittee does not have operational staff on site 24 hours per day, 7 days per week. If a permittee is unable to confirm that a discharge occurred within the timeframes established herein, it shall presume that a discharge has been discovered.

2. For a CSO outfall where modeling is used to predict the occurrence of a discharge, a permittee shall be deemed to have discovered a discharge when results of model simulations indicate the occurrence of a discharge or when model-developed thresholds have been triggered for rainfall data, sewer system flow data, or other information that predicts a potential CSO discharge will occur or is occurring.

3. For a CSO outfall where the Commissioner approves a method other than metering for predicting the occurrence of a discharge, the method shall be described in the CSO Public Notification Plan and implemented as approved by the Department.

### (b) SSO Discharge or Overflow

A permittee shall determine or discover the occurrence of an actual SSO discharge or overflow, or the potential for a SSO discharge or overflow requiring a public advisory notification described in 314 CMR 16.03(1)(c) through (e) based on information reasonably available to the permittee, such as a report of a discharge or an overflow made by any person, site inspection, pump station or level alarms or other relevant information. In no event shall a permittee take longer than four hours to confirm a potential SSO discharge or overflow, commencing from the time a permittee initially receives relevant information. If a permittee is unable to confirm that a potential discharge or overflow actually occurred within the timeframe established in 314 CMR 16.04, it shall presume that a discharge or overflow has been discovered.

### (c) Partially Treated Wastewater.

For any discharge of partially treated wastewater from a wastewater treatment facility, a permittee shall issue the required public advisory notification within two hours of the



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

*time when the permittee begins diverting a portion of the flow around a treatment process, or within two hours of the permittee becoming aware of a failure within the treatment process that is resulting in discharge of partially treated wastewater.*

#### Issuance of Public Notification, 314 CMR 16.04(4)

*A permittee required by 314 CMR 16.03 to issue public advisory notifications shall do so as soon as possible, but no later than two hours, after discovery of a discharge or overflow, unless the Commissioner has approved in writing a longer time period in accordance with 314 CMR 16.04(2).*

#### Continuation of Public Notification, 314 CMR 16.04(7)

*(7) A permittee shall issue a public advisory notification update eight hours after the initial public advisory notification is issued. This update:*

- (a) shall clearly indicate that a discharge or overflow is ongoing or has ceased;*
- (b) if it has ceased, shall indicate the approximate time of cessation;*
- (c) shall update any information that has changed since the initial public advisory notification; and*
- (d) shall be issued to all parties required to receive notifications under 314 CMR 16.04(4).*

*If the permittee has reported that the discharge or overflow has ceased at the time of the initial public advisory notification, then an update is not required eight hours later.*

#### Cessation of Public Notification 314 CMR 16.04(8)

*For any event for which public advisory notification is required pursuant to 314 CMR 16.03 and is still ongoing eight hours after the initial public advisory notification is issued, a permittee shall continue to issue public advisory notification updates every eight hours if the discharge is still ongoing and shall issue a public advisory notification within two hours after the discharge or overflow ceases or is projected to cease, to all parties required to receive notifications under 314 CMR 16.04(4), unless the Department requires otherwise. The notice of cessation shall clearly indicate the approximate time of cessation.*

#### Retraction of Public Notification, 314 CMR 16.04(9)

*Within 48 hours of issuing a public advisory notification, if the permittee becomes aware that no discharge or overflow actually occurred, the permittee shall issue a retraction of the public advisory notification to all parties required to receive notifications under 314 CMR 16.04(4).*

#### **Section 4:** Complete these steps for the Final Plan:

1. In the form, indicate whether the Permittee is requesting approval to use a method other than metering to detect a CSO discharge. If approval for an alternative method is being requested, attach an explanation of the method and attach a letter to the Commissioner with the request. The explanation should:
  - a. Demonstrate that the detection of activation and measurement of flow is accurate.



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

- b. For modeling, provide historic information correlating predicted activations with actual activations and additional information verifying modeling approach.
2. Attach a description of the steps the permittee will take to determine or discover that a discharge or overflow from its outfall or sewer system is occurring.
  - a. The permittee may provide written documents in support of the description such as Standard Operating Procedures, or detailed assignment of responsibilities of sewer authority staff.
  - b. Demonstrate that the method of detection is reliable and able to detect activation and estimate volume.
3. In the form, indicate whether the Permittee can meet the discovery timeline outlined in 314 CMR 16.04(5). If the Permittee cannot meet the timeline, attach a description specifying the limitations to meeting these requirements and potential remedies, and include and a schedule for implementing potential remedies.
4. In the form, indicate whether the Permittee can meet the notification timeline outlined in 314 CMR 16.04(4). If the Permittee cannot meet the timeline, attach a description specifying the limitations, potential remedies, and schedule for implementing these remedies. If the Permittee cannot meet the timeline, also attach a letter to the Commissioner requesting a longer time period for notification.
5. In the form, indicate whether the Permittee can meet the update requirement outlined in 314 CMR 16.04(7) to issue an 8-hour update if the initial notification does not indicate that the event has ceased. If no, attach a description of which requirement cannot be met, what measures are needed for compliance, and a schedule for compliance.
6. In the form, indicate whether the Permittee can meet the update requirement outlined in 314 CMR 16.04(8) to continue issuing 8 hour updates for ongoing events, and notify within 2 hours of when the event ceases or is projected to cease. If no, attach a description of which requirement cannot be met, what measures are needed for compliance, and a schedule for compliance.
7. In the form, indicate whether the Permittee can meet the retraction requirement outlined in 314 CMR 16.04(9) to issue a retraction if the permittee becomes aware within 48 hours of issuing the public advisory notification that no discharge or overflow actually occurred. If no, attach a description of which requirement cannot be met, what measures are needed for compliance, and a schedule for compliance.

## Section 5: CSO Permittee Website

Website requirements to post public advisory notification, 314 CMR 16.04 (3)

*A permittee shall establish and maintain a public website to post public advisory notifications when issued and to receive requests from the public to subscribe to and receive public advisory notifications by email or text message. When a permittee issues a public advisory notification, in addition to the information required to be included in the notification by 314 CMR 16.04(10), the permittee shall include information on its website about any treatment to disinfect pathogens and remove solids and other pollutants from the discharge or overflow, and links to websites providing information on the closure or advisory status of shellfish growing areas, bathing beaches, or other water resource areas potentially affected by the discharge or overflow.*



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### *Instructions*

Other website requirements, 314 CMR 16.05 (1)

*A permittee with a combined sewer system shall include, at a minimum, the following information on its website:*

- (a) A map showing the locations of the permittee's outfalls including the corresponding outfall numbers in a NPDES or surface water discharge permit, if applicable;*
- (b) A summary of the permittee's Long-term CSO Control Plan, and status of its implementation, if applicable;*
- (c) Instructions on how an interested person can subscribe to receive public advisory notifications;*
- (d) Links to any CSO Reports required to be developed in a NPDES or surface water discharge permit, or as part of any enforcement order, for at least the preceding three calendar years, if applicable; and*
- (e) A compilation of discharge data for each public advisory notification event, updated so that data for each month is posted within 15 days of the last day of the month. Data posted shall include updated information on the estimated duration, frequency and volume of the discharge, rainfall data, and treatment provided for any CSO discharges. The website shall include data for at least the preceding three calendar years, if applicable.*

Note on blending:

For permittees that practice blending, permittees may choose to include information on their website about blending, including an explanation of what blending events are and why permittees with combined sewer systems practice blending.

#### ***Section 5: Complete these steps for the Final Plan:***

1. In the form, indicate whether the Permittee has a website or webpage where the relevant information is posted, and provide the link.
2. Describe the subscriber-based system where the public can sign up to receive notifications.
3. In the form, indicate whether the Permittee is able to meet the website requirements under 314 CMR 16.04(3) and 314 CMR 16.05(1). If any requirements cannot be met, specify the limitations to meeting these requirements, potential remedies, and a schedule for compliance.
4. Attach a description of how the Permittee will update the website with requirements under 314 CMR 16.04(3) and 314 CMR 16.05(1)(a-e).

### **Section 6: Signage**

Signage requirement at CSO outfall locations, 314 CMR 16.05 (2)

*Each permittee shall install and maintain a warning sign at each of its CSO outfalls in accordance with requirements of its NPDES and surface water discharge permits.*

Signage requirements at public access points affected by outfall, 314 CMR 16.05 (3)





## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

*Each permittee shall install and maintain signage at public access points to waters affected by a potential discharge from a permittee's outfall. The locations for the signage shall be based on consultation with boards of health or health departments in the municipalities directly impacted by the discharge. Each sign shall identify:*

- (a) The existence of the outfall;*
- (b) The permittee;*
- (c) Information about weather events that may cause a discharge;*
- (d) A warning of the potential threat to public health by recreating in, or using waters and shores affected by a discharge; and*
- (e) Information for the public to subscribe to notifications about discharges in local area waters.*

*Signage shall be developed using a template provided by the Department and be able to provide timely information about ongoing discharges to allow municipal boards of health and health departments to meet the requirements of 314 CMR 16.09(6). For discharges directly affecting neighborhoods identified as environmental justice populations due to lacking English language proficiency, signage shall provide access to translations in the language(s) most appropriate for those neighborhoods and shall utilize universal symbols.*

Map of public access points in proximity to CSO outfalls:

<https://mass-eoeea.maps.arcgis.com/apps/webappviewer/index.html?id=1dde2a22f3e8474c8571e000008d0545>

#### **Section 6:** Complete these steps for the Final Plan:

1. In the form, indicate whether the Permittee has consulted with the Board of Health/Health Departments in municipalities affected by their discharges for public access sign location points, as required by 314 CMR 16.05(3).
2. Attach a list of locations where signs will be installed and dates when signs will be installed.
3. In the form, indicate whether the Permittee is able to meet the signage requirements under 314 CMR 16.05(2) to post signs at the CSO outfall locations. If the permittee can not meet the requirement, specify limitations to meeting these requirements, potential remedies, and a schedule for compliance.
4. In the form, indicate whether the Permittee is able to meet the signage requirements under 314 CMR 16.05(3) to post signs at public access points to waters affected by a potential discharge from the Permittee's outfall. If the permittee can not meet the requirement, specify limitations to meeting these requirements, potential remedies, and a schedule for compliance.

### Section 7: Public Notification Recipients

Media Outlets 314 CMR 16.04 (4) (b)

*The public advisory notification, and any updates required by 314 CMR 16.04(7) and (8), shall also be issued to at least the two largest news organizations that report on local news in municipalities near the outfall. In municipalities with environmental justice populations, if neither of the two largest news organizations specifically serves the*



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

*environmental justice populations, at least one additional news organization that primarily serves the environmental justice population(s) within the impacted municipalities must be notified.*

#### NOTE:

Permittees are required to send public advisory notifications to the identified news organizations, but they are not required to place paid ads, nor are they responsible for the news organization publishing any information related to the notifications. The permittee has no further obligation under the regulations after they have submitted the notification to the news organizations.

Electronic Submittal Required Contacts, see 314 CMR 16.04 (4)(a)

The public advisory notification, and any required updated notifications shall be issued electronically to the parties listed below. MassDEP has provided contact information for each of the state and federal agencies below. Permittees shall identify the appropriate contact information for the other entities.

1. the Department; [massdep.sewagenotification@mass.gov](mailto:massdep.sewagenotification@mass.gov)
2. the U.S. Environmental Protection Agency; [R1.EPANotifications@epa.gov](mailto:R1.EPANotifications@epa.gov)
3. the Massachusetts Department of Public Health; [DPHToxicology@mass.gov](mailto:DPHToxicology@mass.gov)
4. the municipal board of health or the health department where the outfall or overflow is located;
  - a. Permittee provided
5. the board of health or the health department and shellfish constables (if applicable) for any municipality directly impacted by the discharge or overflow;
  - a. Permittee provided
6. any person who subscribed to receive such public advisory notifications by email or text messaging;
  - a. Permittee provided
7. the public water supplier(s) where drinking water supplies may be affected;
  - a. Permittee provided
8. the Massachusetts Division of Marine Fisheries where shellfish growing areas may be affected; [jeff.kennedy@mass.gov](mailto:jeff.kennedy@mass.gov)
9. the Massachusetts Department of Conservation and Recreation when its water recreation properties may be affected; [MEMA.StateControl@mass.gov](mailto:MEMA.StateControl@mass.gov)
10. the Massachusetts Division of Fisheries and Wildlife when its boat ramps and fishing piers may be affected; [doug.cameron@mass.gov](mailto:doug.cameron@mass.gov)
11. Operators of any potentially affected bathing beaches, as defined in 105 CMR 445.00: *Minimum Standards for Bathing Beaches (State Sanitary Code: Chapter VII)*.
  - a. Permittee provided

#### **Section 7: Complete these steps for the Final Plan:**

1. In the form, list the two media outlets serving the area near the discharge or outfall that the permittee will contact to provide a public notification. Include name of organization, name of contact, and contact's email address or fax number.
2. If permittee has determined that an EJ population could potentially be affected by a discharge or overflow, indicate in the form which of these media outlets serves the EJ population. If neither does, then provide at least one additional news organization that



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

primarily serves the EJ population(s) within the impacted municipalities in the form. Include name of organization, name of contact, and contact's email address or fax number.

3. Attach a description explaining how the identified media outlets serve potentially affected EJ populations.
4. Attach a list of the Permittee's required contacts for issuing public advisory notifications.

## Section 8: Detection Method Maintenance

### Maintenance of meters, 314 CMR 16.06(2)(b)

*Where metering of discharges is used to quantify commencement and cessation of the discharge, volumes, and duration, the permittee shall calibrate metering equipment on an annual basis, at a minimum, and shall properly maintain metering equipment to ensure that accurate data can be recorded;*

### Maintenance of model, 314 CMR 16.06(2)(d)

*Where sewer system models are proposed and approved by the Department for predicting CSO activation and discharge volume, the permittee shall:*

1. *Review and update the model input data as needed to ensure the model properly reflects the current sewer system configuration and elements;*
2. *Provide proper maintenance of any data collection equipment, including rain gauges, communications equipment, depth monitors, or other equipment providing critical input to the model;*
3. *Assess the model predictions, annually at a minimum, to confirm the model predictions of the CSO activations, volumes, and duration are consistent with other system data available, including any temporary or permanent sewer system flow meters, wastewater treatment facility influent flow data, collection system pump station flow or run time data, or other data that can provide a relationship to CSO event flows; and*
4. *Provide a description of the actions taken to comply with the requirements of this provision to the Department in writing on or before March 1 each year;*

### **Section 8: Complete these steps for the Final Plan:**

1. In the form, if the Permittee is using metering, indicate whether the Permittee will perform the requirements in 314 CMR 16.06(2)(b)
  - a. Calibrate metering equipment on an annual basis, at minimum
  - b. Properly maintain metering equipment
2. In the form, if the Permittee is using modeling, indicate whether the Permittee will perform the requirements in 314 CMR 16.06(2)(b)
  - a. Review and update the model input data as needed
  - b. Maintain any data collection equipment providing critical input to the model
  - c. Assess model predictions annually, at a minimum
  - d. Provide a description of actions taken in writing on or before March 1<sup>st</sup> of each year



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### Instructions

## Section 9: Public Notice

Public Notice requirements, included in 314 CMR 16.06(2)

*... At the same time the plan is submitted to the Department, the permittee shall place a public notice in the Environmental Monitor and at least one media outlet that serves the environmental justice population(s) in the municipalities impacted by the discharge. The public notice shall state that a CSO Public Notification Plan has been prepared and submitted to the Department. The public notice shall include a link to a website where an interested party can review the plan and shall specify that written comments on the plan can be submitted to the Department and the permittee for a period of 30 days after the date of publication. The public notice shall be translated into the languages most appropriate for neighborhoods within the impacted municipalities that are identified as environmental justice populations due to lacking English language proficiency...*

### Publication in the Environmental Monitor

The Environmental Monitor is published twice monthly. Look up the publication date associated with the date you plan to submit the Final Plan to MassDEP.

All 2023 dates are listed in this table: <https://www.mass.gov/doc/2023-environmental-monitor-publication-schedule/download>

Final Plans submitted on the January 12, 2023 deadline fall within the 1/4/23 – 1/17/23 submittal period, and will be published on 1/25/23.

### **Section 9: Complete these steps for the Final Plan:**

1. In the form, indicate that the Permittee will submit a public notice to the Environmental Monitor as follows:
  - a. Email the public notice to [MEPA@mass.gov](mailto:MEPA@mass.gov) at the same time the plan is submitted to MassDEP
  - b. Include in the body of the email, “Please publish the attached public notice as ‘Notice of Combined Sewer Overflow (CSO) Final Public Notification Plan.’”
  - c. Attach the Public Notice to the email as a PDF
2. In the form, indicate that the Permittee will place a public notice in at least one media outlet that serves the EJ population(s) in the municipalities impacted by the discharge. Indicate media outlet(s).
3. In the form, indicate that the Permittee will include the following in the public notice:
  - a. A statement that a CSO Public Notification Plan has been prepared and submitted to the Department.
  - b. A link to a website where an interested party can review the plan
  - c. A statement that written comments on the plan can be submitted to MassDEP and the permittee for a period of 30 days after the date of



## Combined Sewer Overflow (CSO) Final Public Notification Plan

### *Instructions*

publication in the Environmental Monitor or media outlet, whichever date is later. Explicitly list the end date for submission of public comments.

- d. Translations of the Public Notice in languages most appropriate for neighborhoods within the impacted municipalities that are identified as environmental justice populations due to lacking English language proficiency

### **Certification**

***Certification:*** Complete these steps for the Final Plan:

1. In the form, enter the fields for name, title, signature, and date to attest to the information provided

### **Submit completed CSO Final Public Notification Plan**

***How to submit:***

1. Send the completed CSO Final Public Notification Plan form and any attachments to the general sewage notification email and to your DEP Region.
  - General sewage notification email:  
[massdep.sewagenotification@mass.gov](mailto:massdep.sewagenotification@mass.gov)
  - Regional Contact for submittals:
    - CERO (David Boyer, [david.boyer@mass.gov](mailto:david.boyer@mass.gov))
    - NERO (Susy King, [susannah.king@mass.gov](mailto:susannah.king@mass.gov))
    - SERO (David Burns, [david.burns2@mass.gov](mailto:david.burns2@mass.gov))
    - WERO (Matthew Sokop, [matthew.sokop@mass.gov](mailto:matthew.sokop@mass.gov))
2. Any questions on completing your CSO Preliminary Public Notification Plan can be emailed to [massdep.sewagenotification@mass.gov](mailto:massdep.sewagenotification@mass.gov)